

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re

CITY OF DETROIT, MICHIGAN

Debtor.

Chapter 9

Case No. 13-53846

Hon. Steven W. Rhodes

Oakland County's Notice of Rule 30 (b)(6) Deposition to the City of Detroit

Please take notice that pursuant to Federal Rules of Civil Procedure 26 and 30(b)(6), made applicable to this proceeding by Federal Rules of Bankruptcy Procedure 7026 and 7030, you are hereby notified that Oakland County will take the oral deposition of the City of Detroit, Michigan (the "City") commencing on June 2, 2014 at 9:00 a.m. at the office of Young & Associates, 27725 Stansbury Boulevard, Suite 125, Farmington Hills, Michigan and shall continue from day to day thereafter until completed. The deposition will be taken for discovery purposes, for use at court hearings or trial, or for such other purposes as are permitted under the Federal Rules of Civil Procedure and Federal Rules of Bankruptcy Procedure. The City is requested to provide Oakland County with a written designation of the name(s) and position(s) of the persons who will testify on behalf of the City. The City is required to designate one or more officers, directors, or managing agents, or other persons who will testify about information known or reasonably available to the organization as described in the attached Exhibit A.

Respectfully submitted,

CARSON FISCHER, P.L.C.

By: /s/ Joseph M. Fischer

Joseph M. Fischer (P13452)

Robert A. Weisberg (P26698)

Christopher Grosman (P58693)

4111 Andover Road, West – Second Floor

Bloomfield, Michigan 48302-1924

Telephone: (248) 644-4840

Facsimile: (248) 644-1832

Email: JFischer@CarsonFischer.com

RWweisberg@CarsonFischer.com

CGrosman@CarsonFischer.com

Counsel for Oakland County, Michigan

YOUNG & ASSOCIATES

By: /s/ Sara K. MacWilliams

Sara K. MacWilliams (P67805)

Jaye Quadrozzi (P71646)

27725 Stansbury Blvd., Suite 125

Farmington Hills, MI 48334

Telephone: (248) 353-8620

Email: efiling@youngpc.com

macwilliams@youngpc.com

quadrozzi@youngpc.com

Co-counsel for Oakland County, Michigan

Date: May 9, 2014

EXHIBIT A

DEFINITIONS

1. The term “City” shall mean the City of Detroit, Michigan as well as any of its past or present divisions, such as, but without limitation, any departments, officials, trustees, agents, affiliates, employees, attorneys, advisors, professionals, representatives, and all other persons acting or purporting to act on their behalf, including Kevyn D. Orr acting as Emergency Manager and any successors.
2. The term “COP Litigation” shall mean the adversary proceeding captioned as City of Detroit, Michigan v. Detroit General Retirement System Services Corporation, Detroit Police and Fire Retirement System Service Corporation, Detroit Retirement Systems Funding Trust 2005 and Detroit Retirement Systems Funding Trust 2006, Case No. 14-04112 (Bankr. E.D. Mich.), filed in the City’s Chapter 9 Case on January 31, 2014.
3. The term “Plan of Adjustment” means the City’s Fourth Amended Plan for the Adjustment of Debts of the City of Detroit, filed on May 5, 2014 [Dkt. No. 4392].
4. The term “Fourth Amended Disclosure Statement” shall mean the City’s Fourth Amended Disclosure Statement with Respect to Fourth Amended Plan for the Adjustment of Debts of the City of Detroit, filed on May 5, 2014 [Dkt. No. 4391].
5. The term “Retirement Systems” shall mean the DGRS and the DPFRS.
6. The term “DGRS” shall mean the Detroit General Retirement System.
7. The term “DPFRS” shall mean the Detroit Police and Fire Retirement System.
8. The term “New B Notes” shall have the same meaning as in the Plan of Adjustment.
9. The term “COPs” shall have the same meaning as in the Plan of Adjustment.

DEPOSITION TOPICS

1. All financial projections for DWSD operations through June 30, 2023.
2. All risks associated with operating DWSD including (i) rate determinations; (ii) the need to increase rates and any anticipated rate setting disputes or litigation; (iii) any capital improvement projects that may be necessary to maintain water and sewer systems and the proposed source of funding for any such projects; (iv) collection issues; and (v) financing difficulties.
3. All executory contracts by and between DWSD and the non-debtor wholesale and retail customers of DWSD to be assumed including the basis upon which the assumption is made.
4. The ability of DWSD to perform its obligations under the executory contracts by and between DWSD and the non-debtor wholesale and retail customers of DWSD under the terms of the Plan.
5. The factual and legal bases for and the assumptions underlying Exhibits L and M to the Plan.
6. The factual and legal bases for the Plan proposal for DWSD to pre-fund pension liabilities, including the means by which such pre-funding will be made and the effect on DWSD's operations of such pre-funding.
7. The factual and legal bases to require the DWSD to fund 100% of the GRS for fiscal years 2014 to 2023.
8. Any rate stability plan or program in discussion for DWSD, including the effect of such program on future water and sewer rates.
9. Current and future water and sewer rates needed to fund the DWSD 10 year CIP Plan.
10. Negotiations and support regarding the creation of a regional water authority.
11. The municipal services that the City considers essential and necessary to the operation of the City.
12. The City's plans to implement its Plan of Adjustment upon emergence from bankruptcy.
13. All of the data and assumptions that the City utilized in creating its ten-year and forty-year projections in the Fourth Amended Disclosure Statement.

14. The basis for the City providing a higher percentage of recovery to holders of DGRS pension claims and DPFRS pension claims than to other holders of unsecured claims.
15. The identity, location, and financial position of the City's retirees.
16. The status of any anticipated changes to the Detroit City Charter.
17. Any and all information regarding the relative past contributions of the DWSD to the GRS pension plan compared with the balance of the City of Detroit's contribution to the GRS pension plan.
18. The decision making and approval framework that led the DWSD to adopt a Defined Contribution Plan going forward, versus the City's decision to maintain a Defined Benefit Plan going forward.
19. The City's anticipated population levels by year implied by the City's 10-year and 40-year forecasts.
20. The City's use of a 5% discount rate in the Plan of Adjustment and Fourth Amended Disclosure Statement.
21. The City's determination of the size of the PFRS and GRS Pension Claims, and its decision to utilize a 6.75% discount rate to value liabilities and a 6.75% investment return rate.

CERTIFICATE OF SERVICE

I certify that on May 9, 2014 I electronically filed Oakland County's Notice of Rule 30 (b)(6) Deposition to the City of Detroit with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record.

YOUNG & ASSOCIATES

/s/ Sara K. MacWilliams
27725 Stansbury Boulevard, Suite 125
Farmington Hills, Michigan 48334
248.353.8620
efiling@youngpc.com
P67805